

1 say sometimes co-workers at the time, a number of  
2 co-workers, and perhaps Mr. Becker or Mr. Landis.

3 Q. What about Mr. Gilmore?

4 A. I can't recollect if I had that type of  
5 conversation with him.

6 Q. Why did you say that you would be interested in  
7 going down to Naples?

8 A. Because it was a nice place to live and work, and  
9 warm and sunny.

10 Q. And you had a house down there, correct?

11 A. I did, yes.

12 Q. While you were employed at Mellon did you ever  
13 hear Brendan Gilmore make a comment about Maria Dunlop's  
14 boots?

15 A. Specifically, I can't recollect. But there were  
16 comments and asides that Gilmore had made about other  
17 employees at the time, that I worked at the Greenville  
18 office.

19 Q. But specifically as it relates to Maria, did you  
20 ever hear Mr. Gilmore make any comments about her boots  
21 or her attire?

22 A. Her attire, sometimes, yes.

23 Q. What did you hear?

24 A. Exact and specifically, I don't recollect at this



1 time. But some comments that I thought might be  
2 inappropriate.

3 Q. Like what?

4 A. Perhaps -- my recollection is that perhaps, how  
5 an outfit looks or possibly fits somebody.

6 Q. When you say somebody, meaning Maria?

7 A. Maria, and I am also recalling when, a specific  
8 incident, instance when we shared space with the retail  
9 folks, before they became Citizens, there was a sales gal  
10 who was married, and who was an attractive single mother,  
11 a responsible worker, and others in that office --  
12 because at the time Maria wasn't even on board yet -- he,  
13 Gilmore would come into the office and stop by her desk  
14 and say things and comments to her that appeared to be  
15 unprofessional.

16 Q. Like what?

17 A. The exact words I don't recall. But I can tell  
18 you that Miss Cindy Wilson was an employee of Mellon at  
19 the time, myself, I'm trying to think of -- Joan Rowe,  
20 who worked for Holding Companies, he just seemed to talk  
21 in an inappropriate manner to her, his tone of voice, an  
22 obvious, I think we used the term gushing or flirting.  
23 And this young lady tried to conduct herself in a  
24 professional manner and get on with her work, and then he



1 would move on to speak to the supervising officer, which  
2 I think was Landis or Becker at that time.

3 Q. What time frame?

4 A. Time frame meaning what? I don't understand.

5 Q. What year? If you have a specific date that  
6 would be great.

7 A. It would have been prior to the lift-out that  
8 occurred when Mellon sold the retail and business banking  
9 operations to Citizens Bank.

10 Q. 1998?

11 A. No. We had gone -- our group had moved into the  
12 Greenville office -- oh, my gosh, see if I can recollect  
13 that year -- probably around 2002 to 2003, and Citizens,  
14 or that which became Citizens retail was still operating  
15 in that office until it can move out.

16 Q. Now, the person that you described her as a  
17 single mom, who was it?

18 A. At this point I don't recollect her name, but I  
19 could, with research I probably could find that out. She  
20 sat at the next desk from me. She may still be with  
21 Citizens. She was an attractive girl, but a professional  
22 worker.

23 Q. Now, with respect to, you described what Mr.  
24 Gilmore would do I guess when he came down to the



1 Delaware office, and she would be sitting at her desk?

2 A. Yes.

3 Q. Okay. Now, did you overhear the conversations?

4 A. Several of us overheard the conversations.

5 Q. Did Mr. Gilmore ever make any comments to you  
6 that you felt were inappropriate?

7 A. At this point I don't recollect in the same way  
8 that he did to this younger employee.

9 Q. Okay. When you say "in the same way," whether  
10 they were in the same way or some other way, you had  
11 spoken earlier about the conversation that you had in his  
12 office where you felt he yelled at you, so you told me  
13 about that time. Any other times?

14 A. I don't fully understand your comparison or the  
15 premise.

16 Q. Let me just --

17 A. Would you clarify?

18 Q. Because what I'm getting from you is that Mr.  
19 Gilmore made comments that you took to be of a sexual  
20 nature concerning this woman who may or may not have been  
21 a Citizens employee; is that right?

22 A. That's correct. And it was not just myself who  
23 understood this to be that way.

24 Q. All right. Did Mr. Gilmore ever make any



1 comments to you that you felt were of a sexual nature?

2 A. To my recollection, no. Not of a sexual nature.

3 Q. All right. Now when you say "not of a sexual  
4 nature," that leads me to believe that there were  
5 comments that he said to you that you felt were  
6 inappropriate but may not have been of a sexual nature.

7 A. I understand that that is the way you would have  
8 taken that comment, yes.

9 Q. Did I take it correctly?

10 A. Yes, I would say so.

11 Q. Okay. Now, what were the comments?

12 A. In conversations, my recollection overall with  
13 Brendan Gilmore is if you tried to converse with him,  
14 perhaps about non-work things, he mostly made you feel  
15 uneasy or unapproachable or aloof, and so you wouldn't  
16 engage him in conversation.

17 Q. Can you give an example?

18 A. A specific example, no. An overall generality,  
19 feeling is that Brendan Gilmore was attracted to the  
20 younger people in the office, and the middle-aged or  
21 little older employees were, were not ignored but -- were  
22 ignored or tolerated in their work.

23 Q. When you say he was attracted to the younger  
24 people in the office, do you mean younger females?



1 still a part of the Delaware team, they would have been  
2 made aware. As a small office, we, as a courtesy, would  
3 inform each other of times that we wanted, and it was  
4 noted what would be available for office coverage, who  
5 would be remaining.

6 Q. Okay. Now, in terms of the requests for  
7 vacation, do you know, in general, what was considered in  
8 approving or denying a vacation request?

9 A. Specific, no, I don't recall. I don't know. I  
10 would submit my request. They would come and say at some  
11 short time after that, yes, that's approved.

12 (Blozis Deposition Exhibit 23 was marked for  
13 identification.)

14 A. I have looked at this exhibit.

15 Q. Have you seen what has been marked as Blozis 23  
16 before?

17 A. I can say that I probably have seen the e-mail,  
18 the printed e-mail exchange.

19 Q. In terms of the handwriting, do you recall seeing  
20 that before today?

21 A. No.

22 Q. Do you recognize the handwriting?

23 A. Well, the "GL" looks like what I recollect the  
24 way Gregg Landis used to sign his name or his initials.



1 status of the project?

2 A. Specifically, I can't recollect if there was  
3 follow-up to that via e-mail or discussions. My general  
4 recollection is that, what I have expressed before, that  
5 I tried to convey to them that I knew that to be a job  
6 that was the responsibility of the officers, to set  
7 valuations, and that I was talking to a blank wall.

8 Q. Now, with respect to the top e-mail from you to  
9 Gregg concerning the status of the project, it has a June  
10 26th, '03 date on it. Do you see where I am?

11 A. Yes.

12 Q. Had the project not been completed by June 26?

13 A. The e-mail says, "In short, the task is not  
14 completed."

15 Q. What was Gregg's reaction to that?

16 A. Recollecting, I don't specifically know his  
17 reaction to it. I do know that up until that point I was  
18 of the impression that a lot of the projects that were  
19 left me alone in that office were getting done, and I do  
20 remember Gregg saying we are moving along, to some  
21 extent -- I don't know the exact verbiage now -- but that  
22 we were handling things.

23 Q. Did he say specific projects that he thought were  
24 being handled?



1 My recollection is that I had to produce  
2 more work, more quickly.

3 Q. Now, with respect to Blozis 19 and your last  
4 response, which is actually the response at the top, did  
5 you have any conversations with Gregg Landis about the  
6 completion of the May 2003 stale priced report?

7 A. I don't recall specific conversations at this  
8 time, after this e-mail.

9 Q. Did you finish the stale priced report?

10 A. I don't recollect that it was completed. May  
11 have been an attempt on my part to illicit information  
12 from other officers. I can't recall now.

13 (Blozis Deposition Exhibit 20 was marked for  
14 identification.)

15 A. I have looked at this.

16 Q. Okay. Do you recognize what has been marked as  
17 Blozis 20?

18 A. Yes.

19 Q. And what is it?

20 A. It looks as if it is a things to be done list.

21 Q. All right. Is that your handwriting?

22 A. It looks to be my handwriting.

23 Q. All right. All of it, the full page?

24 A. I think it is a safe assumption that it is my



1 Q. Now, looking at Blozis 23, up at the top, this is  
2 your request to Gregg about vacation, correct?

3 A. Yes.

4 Q. And this request is relating to your paragraph 51  
5 of your complaint?

6 A. Yes.

7 Q. Okay. Now, in terms of the request, and I'm  
8 looking at the handwritten portions underneath, where it  
9 says, "Brendan advised Linda on March 18, '03 that her  
10 request was partially approved," did you have  
11 conversations with Brendan Gilmore about your vacation  
12 request?

13 A. On that date, I don't recall.

14 Q. All right.

15 A. My recollection is that on or around March 13th,  
16 I was allowed to take -- or I was, I was given the okay  
17 to take the full time that I requested in the printed  
18 e-mail above.

19 Q. And who was it that had given you the okay?

20 A. Considering this exchange, it would have been  
21 Gregg Landis.

22 Q. So it is your testimony that Gregg had initially  
23 given you the okay for the two weeks?

24 A. That's my recollection at this time, yes.



1 Q. All right. But you recall getting, I guess,  
2 subsequent information about not being able to take the  
3 two weeks and being able to take six days?

4 A. I recall getting subsequent information to that  
5 extent, yes.

6 Q. And was that from Gregg who told you that?

7 A. I can't recall specifically if it was Gregg or if  
8 it was Gilmore that told me, sometime after March 13th.

9 Q. Was there any discussion why you couldn't take  
10 the two weeks?

11 A. I don't recall. I don't recall a specific  
12 discussion. I'm thinking back, trying to remember what  
13 Brendan Gilmore would have said, if it possibly was that  
14 Maria was too new to be left on her own. I don't know.  
15 I'm not sure. I was just shocked by the fact that I was  
16 of the understanding I was going to get the two weeks and  
17 then didn't.

18 Q. Was there any discussion that you couldn't get  
19 the two weeks because the office would be short-staffed?

20 A. Specifically, I don't recall that, because my  
21 belief is we were short-staffed even before Maria came on  
22 board and I was handling all the responsibilities.

23 Q. Was there any discussion that you had taken a  
24 two-week vacation in December of '02?



1 A. No specific discussion. It was, it was done.

2 Q. Now, with respect to I guess the vacation policy  
3 in 2003, if you didn't take all of your vacation would  
4 you get paid for it at the end of the year?

5 A. I don't recall that. I thought it was possibly  
6 -- like I said, I'm not sure when they went to you  
7 couldn't roll over and at what level, but I don't know if  
8 at my level it was a use it or it. I'm not sure at this  
9 time.

10 Q. I guess sort of how it was concluded was that you  
11 took six days, and looking down at the bottom, were those  
12 the six days you were allowed to take?

13 A. That's right. I only did get six days.

14 Q. And you say, looking at your complaint, that  
15 younger employees were not treated the same way?

16 A. Yes.

17 Q. And who are the younger employees?

18 A. I believe in my complaint was based on the fact  
19 that Maria had just come on board in, oh, was it March,  
20 and she was given time, extended time for a wedding. The  
21 dates are -- I'm getting them confused right now. But I  
22 know that she was allowed extended honeymoon time, which  
23 I did not have a problem with manning the office, but it  
24 seemed like, as a new employee, that considerations were



1 given her for one reason or another as far as vacation,  
2 whether it be house settlement or preparations for the  
3 wedding or the honeymoon time itself, yes.

4 Q. So Maria, to your recollection, came in March of  
5 '03?

6 A. No. I have to recall when she was hired. I'm  
7 sorry. I'm mixing up the dates.

8 I do recall Maria wasn't there very long  
9 that she was given what I considered consideration,  
10 exceptional consideration for vacation time requested.

11 Q. And Maria was getting married and went on her  
12 honeymoon, correct?

13 A. Yes.

14 Q. So you felt that was exceptional consideration?

15 A. In the sense that she had specifically put in, my  
16 recollection says, for a certain number of days and then  
17 realized she wanted more time, requested a day or two  
18 more and then got it.

19 Q. So you thought that was exceptional?

20 A. Exceptional that it was given on such short  
21 notice, without consideration to the fact that I would be  
22 left to man the office, and my previously requested two  
23 weeks was given at a two-month advance of wanting --  
24 March, April, May, three-month advance of requesting the



1 time, and then having it denied.

2 Q. Do you think that the, I guess the denial of your  
3 two-week request and I guess allowing Maria to take the  
4 seven days was based on age?

5 A. I'm not sure that it wasn't.

6 Q. And so when you say you are not sure that it  
7 wasn't, do you think that it was?

8 A. Could very well have been part of what I  
9 considered a systematic plan to dismiss me.

10 Q. Do you not think that her wedding and honeymoon  
11 had anything to do with it?

12 A. I think that was very important to her. And I  
13 was very happy and excited for her. I'm referring to  
14 what I consider the fairness of the request and the  
15 denial of mine.

16 Q. Other than Maria, were there any other instances  
17 where you felt that younger employees were given  
18 preferential treatment as it related to vacation?

19 A. As to vacation, I can't say at this time. They  
20 would have been in another office.

21 Q. Looking at that same page, page 9, up above in  
22 paragraph 50, where it says, "Gilmore and Landis  
23 criticized plaintiff for leaving a booklet for Dunlop to  
24 bind," that is the booklet we have been talking about as



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6 CERTIFICATE OF REPORTER

7 I, Eleanor J. Schwandt, Registered  
8 Professional Reporter and Notary Public, do hereby  
9 certify that there came before me on the 13th day of  
10 January, 2007, the deponent herein, LINDA BLOZIS, who was  
11 duly sworn by me and thereafter examined by counsel for  
12 the respective parties; that the questions asked of said  
13 deponent and the answers given were taken down by me in  
14 Stenotype notes and thereafter transcribed by use of  
15 computer-aided transcription and computer printer under  
16 my direction.

17 I further certify that the foregoing is a  
18 true and correct transcript of the testimony given at  
19 said examination of said witness.

20 I further certify that I am not counsel,  
21 attorney, or relative of either party, or otherwise  
22 interested in the event of this suit.

23 *Eleanor J. Schwandt* *RF*  
24 Eleanor J. Schwandt

Certification No. 125-RPR  
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